

¹ Magistrate Judge Steger specifically advised Plaintiff that she had 14 days in which to object to the Report and Recommendation and that failure to do so would waive his right to appeal. (Doc. 25 at 12 n.5); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which Plaintiff could timely file any objections has now expired.

Accordingly:

- The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Steger's findings of fact, conclusions of law, and recommendations, (Doc. 25), pursuant to § 636(b)(1) and Rule 72(b);
- Plaintiff's Motion for Summary Judgment, (Doc. 21), is hereby **DENIED**;
- Defendant's Motion for Summary Judgment, (Doc. 23), is hereby **GRANTED**; and
- The decision of the Commissioner is hereby **AFFIRMED**;

A separate judgment will enter.

SO ORDERED this 24th day of August, 2017.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE